Case 1:05-cv-00105-AWI-SMS Document 16 Filed 07/13/05 Page 1 of 2 LAW OFFICES OF LESLIE G. MCMURRAY 1 Leslie G. McMurray, S.B. No. 156263 Magnolia Professional Building 2 12520 Magnolia Blvd., Suite 206 3 Valley Village, California 91607 Telephone: (818) 505-9902 4 Facsimile: (818) 505-1366 5 Attorneys for Plaintiff BNSF Railway Company (formerly named THE 6 **BURLINGTON NORTHERN AND** SANTA FE RAILWAY COMPANY) 7 8 9 UNITED STATES DISTRICT COURT 10 EASTERN DISTRICT OF CALIFORNIA 11 12 THE BURLINGTON NORTHERN Case No. 1:05-CV-00105-AWI-SMS AND SANTA FE RAILWAY 13 COMPANY, a Corporation, 14 NOTICE OF SETTLEMENT; Plaintiff, REQUEST FOR DISMISSAL OF 15 **ACTION WITH PREJUDICE; AND** ORDER THEREON v. 16 17 PENNY NEWMAN GRAIN COMPANY; and Roes 1-5, inclusive, 18 Defendants 19 20 21 22 TO THE HONORABLE JUDGE ANTHONY W. ISHHI, THE HONORABLE 23 MAGISTRATE JUDGE SANDRA M. SNYDER, TO PENNY NEWMAN AND ITS 24 COUNSEL OF RECORD: 25 Based on a settlement reached by and between the parties to this action, Plaintiff 26 BNSF Railway Company (formerly named "THE BURLINGTON NORTHERN AND 27 SANTA FE RAILWAY COMPANY") and hereafter referred to herein as "BNSF",

hereby requests the dismissal of this action in its entirety with prejudice. BNSF

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1	respectfully thanks the Court and its staff for their assistance in the administration of this
2	matter.
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5	Dated: July 8, 2005 LAW OFFICES OF LESLIE G. MCMURRAY
6	/s/ Leslie McMurray
7	Counsel for Plaintiff THE BNSF
8	RAILWAY COMPANY (formerly named the Burlington Northern and
9	Santa Fe Railway Company)
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12	ORDER
13 14	TO ALL PARTIES AND THEIR COUNSEL OF RECORD:
15	Based on the afore-stated request by BNSF for dismissal of this action in its
16 17	entirety, this action is accordingly DISMISSED WITH PREJUDICE. IT IS SO ORDERED.
18 19	Dated:July 11, 2005/s/ Anthony W. Ishii0m8i78UNITED STATES DISTRICT JUDGE
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